

Issued February 24, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 1266.

(Given pursuant to section 4 of the Food and Drugs Act.)

### ADULTERATION AND MISBRANDING OF LEMON EXTRACT.

On September 8, 1911, the United States Attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Horton-Cato Manufacturing Co., a corporation, Detroit, Mich., alleging shipment by it, in violation of the Food and Drugs Act, on or about March 8, 1911, from the State of Michigan into the State of Georgia of a quantity of lemon extract which was adulterated and misbranded. The product was labeled: "Pure Extract Lemon. Mnfg. by the Horton-Cato Mfg. Co., Detroit, Mich. \* \* \*"

Analysis of three different samples of said extract, designated "A", "B" and "C", made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

	Per cent.
A. Total solids.....	1.72
Sugar .....	1.65
Citral (Hiltner).....	.20
Lemon oil, by precipitation.....	4.5
Lemon oil, by polarization.....	4.5
Alcohol, by volume.....	59.60
Refractive index, lemon oil at 25° C.....	1.4720
B. Total solids.....	2.56
Sugar .....	2.53
Citral (Hiltner).....	.055
Lemon oil, by precipitation.....	None.
Lemon oil, by polarization.....	None.
C. Total solids.....	.08
Citral (Hiltner).....	.10
Lemon oil, by precipitation.....	.40
Lemon oil, by polarization.....	.40
Alcohol, by volume.....	44.16
Methyl alcohol, refractometer.....	None.

All colored with Tartrazin—S. & J. No. 94.

Of 12 bottles, but 2 were of type A.

Adulteration was alleged for the reason that said product was not a pure extract of lemon, as a substance, to wit, a highly dilute terpeneless extract of lemon, had been mixed and packed with it in such a manner as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part therefor, and further because said product had been colored in a manner whereby its inferiority was concealed. Misbranding was alleged because the label represented the product as a pure extract lemon when in fact it was not such, but was a highly dilute terpeneless extract of lemon colored so as to conceal its inferiority, and the representation on the label was therefore false and misleading and calculated to deceive and mislead the purchaser.

On October 14, 1911, the defendant pleaded nolo contendere and sentence was suspended by the court.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *December 29, 1911.*

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